

AGENDA MEMO

CITY COUNCIL MEETING DATE: JANUARY 7, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-29203 - SITE APPLICANT/OWNER: NEVADA POWER

**** CONDITIONS ****

Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL, subject to:

Planning and Development

1. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
2. All development shall be in conformance with the site plan, landscape plan, date stamped 11/19/08, and building elevations, date stamped 08/20/08, except as amended by conditions herein.
3. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
4. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
5. All perimeter walls shall be decorative and shall have a minimum 20 percent contrasting material. Pilasters, if used, shall have a maximum spacing of 24 feet on center.
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
7. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.

8. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Unless documentation can be provided that right-of-way exists; dedicate an additional 20 feet of right-of-way for a total half-street width of 70 feet on Sahara Avenue, dedicate a 25 foot radius corner on the northwest corner of Sahara Avenue and Spencer Street and a 25 foot radius on the northeast corner of Sahara Avenue and Seventeenth Street adjacent to this site prior to the issuance of any permits.
12. Construct all incomplete half-street improvements on Spencer Street and Seventeenth Street adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. [However, in lieu of new sidewalk along Spencer Street adjacent to this site, construct sidewalk improvements on the north and south sides of St. Luis Avenue and Oakey Boulevard across the power corridor to provide pedestrian continuity on those streets.](#)
13. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
14. Landscape and maintain all unimproved right(s)-of-way, if any, on Sahara Avenue and Seventeenth Street adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. As appropriate, submit an Encroachment Agreement to the City of Las Vegas or obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Sahara Avenue and Seventeenth Street public right-of-way adjacent to this site.

16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage paths for this site prior to submittal of construction plans or the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainage ways as recommended.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for a Utility Substation with transmission line poles ranging from 22 to 152 feet in height on 3.86 acres at the southwest corner of Sahara Avenue and Spencer Street.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
09/11/08	The Planning Commission held in abeyance a request for a Site Development Plan Review (SDR-29203) for a Utility Substation located on 3.86 acres at the southeast corner of Sahara Avenue and Spencer Street to give the applicant time to address the commission's concerns. Staff recommended denial.
12/04/08	The Planning Commission recommended approval of companion item ZON-29204 concurrently with this application. The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #14/sg).
<i>Related Building Permits/Business Licenses</i>	
There are no related Building Permits or Business License that pertains to this site.	
<i>Pre-Application Meeting</i>	
07/17/08	A pre-application meeting was held with the applicant.
<i>Neighborhood Meeting</i>	
07/22/08	An open house was held at Cambridge Recreation Center at 3930 Cambridge Street from 4:30-7:30 PM, one member of the public was in attendance. No members of city staff were present at this meeting.
<i>Field Check</i>	
08/21/08	A field check was conducted on site. The Electric Substation is screened by a chain link fence around its perimeter and Oleander trees. On the residential masonry wall there is some graffiti and debris along the fencing.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	3.86

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Utility Substation and Utility Transmission Lines	PF (Public Facilities)	R-1 (Single Family Residential) Proposed: C-V (Civic)
North	Utility Transmission Lines	PF (Public Facilities)	R-1 (Single Family Residential) Proposed: C-V (Civic)
	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
South	Office and Commercial	Clark County	Clark County
East	Automobile sales	C (Commercial) and O (Office)	C-2 (General Commercial)
	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Office	O (Office)	C-1 (Limited Commercial)
	Single-Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
A-O Airport Overlay District (200 feet)	X		Y*
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

**The proposed Electric Substation will not impact the Airport Overlay, as it is 155 feet tall.*

DEVELOPMENT STANDARDS

Pursuant to Title 19.06.010, the following development standards are proposed:

<i>Standard</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Min. Setbacks from property line			
• Front (West)	N/A	N/A	N/A*
• Side (North)	N/A	N/A	N/A*
• Side (South)	N/A	N/A	N/A*
• Rear (East)	N/A	N/A	N/A*
Min. Distance Between Buildings	N/A	N/A	N/A*
Max. Lot Coverage	N/A	N/A	N/A*
Max. Building Height (Building Addition)	N/A	150 feet	N/A*

**Pursuant to Title 19.06.010, the development standards for a project in a C-V (Civic) Zoning District shall be established by the City Council in conjunction with approval of a Site Development Plan Review. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The proposed landscaping, parking, setbacks, and maximum building heights for this project are defined below. Any future development will require review for determination of appropriate development standards.*

ANALYSIS

- **Zoning**

The subject properties are designated PF (Public Facilities) and are located within the boundaries of the Southeast Sector Map of the General Plan. The Public Facilities category allows for large governmental building sites and complexes, police and fire facilities, hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

In a companion application, a Rezoning (ZON-29204) if approved, proposes to change the site's zoning from R-1 (Single Family Residential) to C-V (Civic). The proposed C-V District is intended to provide for existing public and quasi public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, the C-V District may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V District is consistent with the Public Facilities category of the General Plan.

Pursuant to Title 19.06.010, the development standards for a project in a C-V (Civic) Zoning District shall be established by the City Council in conjunction with approval of a Site Development Plan Review. The standards shall be designed to ensure compatibility of the development with existing and planned development in the surrounding area. The proposed landscaping, parking, setbacks, and maximum building heights for this project are defined below. Any future development will require review for determination of appropriate development standards.

- **Site Plan**

The applicant is proposing to add 15 power poles and additional electrical equipment to an existing Electric Utility Substation. The proposed site plan depicts two parcels; the existing substation with 13 proposed power poles (Utility Transmission Lines), additional electrical equipment and 13 existing power poles and other structures to be removed, located on a 2.51 acre parcel to the south, and two additional proposed power poles on the 1.36 acre parcel to the north. The proposed power poles include two poles that are 150 and 152 feet, three poles at 140 feet and ten poles that range from 22 to 87 feet in height in the following locations:

1. Two poles are located in the landscape buffer area along Sahara Avenue, with the west pole at 150 feet in height, and the east pole at 152 feet in height.
2. Five poles are located just inside the perimeter wall of the substation along Spencer Street. These poles are 75, 140, 42, 140 and 140 feet in height, from south to north.
3. Two poles are located on the north parcel along Spencer Street at 75 feet in height. The original submittal indicated a single pole at 132 feet in height on this parcel.
4. One pole is located in the landscape buffer area on 17th Street at 87 feet in height.
5. Five poles are located at the interior of the substation site (within the perimeter walls) that range from 22 feet to 85 feet in height. In the original submittal, the two poles that are 22 feet high were labeled as “dead ends” and were considered part of the additional proposed equipment. As a result, they were not included in the total number of transmission poles

In addition to adding the power poles and electrical equipment, the applicant is removing 13 power poles and structures from throughout the site, which range from 25 to 85 feet in height.

Access to the site is provided by three access driveways, which are all gated. There are two existing 20-foot access driveways off Sahara Avenue and Spencer Street. The applicant has proposed an additional access driveway on Spencer Street approximately 114 feet north of the access driveway on the same street.

No structures are proposed as a part of this development; therefore, there are no setbacks, building height, or other site development standards applicable. Further, the site plan calls for zero parking spaces as the Electric Utility Substation use has no parking requirement.

- **Landscape Plan**

A landscape buffer with 24-inch box sized Argentine Mesquite trees, spaced approximately 20 feet on center, is depicted as a 10-foot wide planter along the east property line and the south portion of the west property line, and as a 15-foot wide planter along the south property line. A variety of five-gallon shrubs are located throughout this buffer area, with the plan indicating Centennial Broom, Fairy Duster and Compact Texas Ranger. Within these areas, there are 231, 24-inch box pyracantha planted along the base of the block wall, approximately five feet on-center. There are no trees provided in the landscaping buffers along the north perimeter, or the five-foot landscaping buffer along the north portion of the west property line of the site, adjacent to the single family residences. A three-inch base of decomposed Gold Granite is used as mulching material in all landscape areas.

- **Elevations**

The proposed 13 power poles on both parcels range from 53 feet to 155 feet in height, which in comparison to the existing power poles, range from 40 to 85 feet in height.

The elevations depict a brown 16-foot high perimeter wall around the proposed development area that is designed to reduce the visual impact and screen the substation equipment. Further, the wall height, which is above the typical height limitation where development standards restrict the wall height to a maximum of eight feet, is meant to provide added security by discouraging/impeding would-be trespassers and vandals. The elevation notations indicate that a split face block material is intended with pilasters. Since no notation has been provide regarding the contrasting material and the pilaster spacing, a condition of approval has been added to this review that all perimeter walls must be decorative with 20 percent contrasting material and that pilasters are to be spaced a maximum of 24 feet on center.

Although the 16-foot block wall is meant to provide added security by discouraging/impeding would-be trespassers and vandals, the applicant has created a public safety concern with the location of the 16-foot wall in proximity to residential walls to the west. The 10 feet of space between the proposed wall and the existing residential walls are not visible from the street, which could create a nesting place for illicit activities and pose a public safety hazard.

- **Submittal Comparison Table**

Original Submittal (08/20/08)	Revised Submittal (11/19/08)
Number of Poles: 13 (+ two proposed 22' "dead ends")	Number of Poles: 15 (with two "dead ends" included as proposed 22' poles)
Range of Height: 50' to 155'	Range of Height: 22' to 152'

<p>Location of Poles:</p> <ul style="list-style-type: none"> • North Parcel (16202403001) – No screen wall or landscaping <ul style="list-style-type: none"> a. One pole at 132’ • South Parcel (16202403002) <ul style="list-style-type: none"> a. Outside screen wall: <ul style="list-style-type: none"> i. One pole at 155’ (Sahara / Spencer) ii. One pole at 150’ (Sahara / 17th Street) iii. One pole at 93’ (17th Street) b. Inside screen wall: <ul style="list-style-type: none"> iv. One pole at 155’ v. One pole at 150’ vi. Seven poles ranging from 50’ to 93’ 	<p>Location of Poles:</p> <ul style="list-style-type: none"> • North Parcel (16202403001) - No screen wall or landscaping <ul style="list-style-type: none"> a. Two poles at 75’ • South Parcel (16202403002) <ul style="list-style-type: none"> a. Outside screen wall: <ul style="list-style-type: none"> vii. One pole at 152’ (Sahara / Spencer) viii. One pole at 150’ (Sahara / 17th Street) ix. One pole at 87’ (17th Street) b. Inside screen wall: <ul style="list-style-type: none"> x. Three poles at 140’ xi. Seven poles ranging from 22’ to 85’
<p>Landscape Buffers (south parcel only):</p> <ul style="list-style-type: none"> • South: 15’ <ul style="list-style-type: none"> a. 24-inch box trees at 30’ OC, with four 5-gallon shrubs per tree • East, portions of west and north: 10’ <ul style="list-style-type: none"> a. 24-inch box trees at 30’ OC along the east and a portion of the west, with four 5-gallon shrubs per tree b. No landscaping along the north • Portions of the east and north: 5’ <ul style="list-style-type: none"> a. No landscaping 	<p>Landscape Buffers (south parcel only):</p> <ul style="list-style-type: none"> • South: 15’ <ul style="list-style-type: none"> a. 24-inch box trees at 20’ OC, with two 5-gallon shrubs per tree and 15-gallon pyracantha planted at approximately 5’ OC along the base of the wall • East, portions of west and north: 10’ <ul style="list-style-type: none"> a. 24-inch box trees at 20’ OC along the east and a portion of the west, with four 5-gallon shrubs per tree and 24-inch box pyracantha planted at approximately 5’ OC along the base of the wall b. No landscaping along the north • Portions of the east and north: 5’ <ul style="list-style-type: none"> a. No landscaping
<p>Perimeter Walls (south parcel only):</p> <ul style="list-style-type: none"> • North Parcel (16202403001): Up to 16’ high, no contrasting materials • South Parcel (16202403002): No walls proposed 	<p>Perimeter Walls (south parcel only):</p> <ul style="list-style-type: none"> • No changes indicated, and no additional information provided

FINDINGS

The following findings must be made for an SDR:

- 1. The proposed development is compatible with adjacent development and development in the area;**

The proposed 152-foot tall power poles are a 90 percent increase over the existing 80-foot poles, which are not compatible with existing adjacent development and development in the area, as it will provide power poles greater in scale than those around it.

- 2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development is consistent with the General Plan as the proposed Rezoning (ZON-29204) to C-V (Civic) bring the parcels into conformance with the Public Facilities category of the General Plan.

- 3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Site access is gained from Sahara Avenue, a 100-foot Primary Arterial, and Spencer Street, a 60-foot Local Street, as designated in the Master Plan Streets and Highways. Site access should be adequate and the adjacent roadways will not be impacted as the facility will only be accessed as necessary by Nevada Power personnel.

- 4. Building and landscape materials are appropriate for the area and for the City;**

The building and landscape materials denoted for this site are appropriate for the area and the City. The landscape plan indicates drought tolerant plants of appropriate sizes and the elevations show that the perimeter walls are to be constructed of a split-face CMU block with gates that utilize a perforated steel fabric covering.

- 5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

There are no structures proposed as a part of this development; however, there are elevations that indicate that the design characteristics of the perimeter walls will not present an unsightly, undesirable, or obnoxious appearance. A condition of approval has been added to this review that all perimeter walls must be decorative with 20 percent contrasting material and that pilasters are to be spaced a maximum of 24 feet on center.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Although the 16-foot block wall is meant to provide added security by discouraging/impeding would be trespassers and vandals, the applicant has created a public safety concern with the location of the 16-foot wall in proximity to residential walls to the west. The 10 feet of space between the proposed wall and the existing residential walls are not visible from the street, which could create a nesting place for illicit activities and pose a public safety hazard.

PLANNING COMMISSION ACTION

The Planning Commission amended condition #12 as shown. The Planning Commission discussed the importance of fast growing trees and shrubs along the corridor.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

ASSEMBLY DISTRICT 10

SENATE DISTRICT 12

NOTICES MAILED 773 by City Clerk

APPROVALS 4

PROTESTS 12